



**Request for City Council Committee Action
From the City Attorney's Office**

Date: November 13, 2012
To: Ways & Means/Budget Committee
Referral to:

Subject: *Jennifer and James Serakos vs. City of Minneapolis*

Recommendation: That the City Council approve the settlement of this case by payment of \$25,000 payable to Jennifer Serakos and his/her attorney, Meshbesh & Spence, from Fund/Org. 6900 1500100 145937 and authorize the City Attorney's Office to execute any documents necessary to effectuate settlement.

Previous Directives:

Prepared by: Tracey N. Fussy Phone: (612) 673-2254

Approved by:

Susan L. Segal
Susan L. Segal
City Attorney

Presenter in Committee: Susan L. Segal, City Attorney

Financial Impact (Check those that apply)

- ☐ No financial impact (If checked, go directly to Background/Supporting Information).
☐ Action requires an appropriation increase to the ____ Capital Budget or ____ Operating Budget.
☐ Action provides increased revenue for appropriation increase.
☐ Action requires use of contingency or reserves.
☐ Business Plan: ____ Action is within the plan. ____ Action requires a change to plan.
☒ Other financial impact (Explain): Fund/Org. 6900 1500100 145937
☐ Request provided to department's finance contact when provided to the Committee Coordinator.

Community Impact

City Goal(s): A City that works.

Background/Supporting Information: At some unknown time prior to September 21, 2008, a sign on the north side of 5th Street between Nicollet Avenue and Hennepin Avenue was removed. The sign collar, the hole in the ground which signs are placed in, was not capped leaving an open hole in

the sidewalk. In the evening hours of September 21, 2008, Ms. Serakos was walking down the street when the heel of her shoe went into the hole and became stuck. This caused Ms. Serakos to roll her ankle which broke her tibia and fibia at her ankle. After negotiations, a global proposed settlement was reached in the amount of \$25,000.

The settlement amount has been reviewed and approved by the City Attorney Litigation Committee. Public Works administration has also approved the settlement. Therefore, staff recommends approval of the settlement.

PM# 09-02856/TNF